- Hispanic: A person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, Spain, or Portugal regardless of race
- Asian American: A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific
- Native American or Alaskan Native: A person having origins in any of the original peoples of North America.

Female Business Enterprise (FBE): A business concern which is at least 51-percent owned by one or more females or, in the case of a corporation, at least 51 percent of the stock of which is owned by one or more females, and the management and daily business operations of which are **controlled** by one or more females who own it. The 51-percent owners must be U.S. citizens or resident aliens.

Person with a Disability (PBE): A business concern which is at least 51-percent owned by one or more persons with a disability or, in the case of a corporation, at least 51-percent of the stock of which is owned by one or more persons with a disability, and the management and daily business operations of which are **controlled** by one or more persons with a disability who own it. The 51 percent-owners must be U.S. citizens or resident aliens. The Act also qualifies not-for-profit agencies for persons with a disability organized pursuant to Section 501 of the Internal Revenue Code of 1954 (this is the only instance in which not-for-profit entities are eligible under the Act).

Combinations: When a business concern is owned by at least 51 percent of any combination of minority persons, females, or persons with disabilities, even though none of the three classes alone holds at least a 51-percent interest, the ownership requirement for purposes of the Business Enterprise Act is considered to be met. The certification category for the business is that of the class holding the largest ownership in the business. If

two or more classes have equal ownership interests, the business shall determine the certification category.

Annual Sales Limitation

Eligible businesses must have annual gross sales of \$27 million or less for the most recent fiscal period. However, businesses with gross sales over \$27 million can apply for a waiver to participate in the program on an individual contract basis, if the contract will provide significant employment and/ or subcontracting opportunities for minorities, females, and persons with disabilities.

For More Information

You can obtain more information about the program and the necessary forms by contacting:

Business Enterprise Program for Minorities, Females, and Persons with Disabilities James R. Thompson Center 100 West Randolph Street Suite 3-350 Chicago, Illinois 60601

Telephone:

(312) 814-4190 (Voice or TDD/TTY) (800) 356-9206 (BEP Toll-Free Line) (800) 526-0844 (Illinois Relay Center) (312) 814-5539 (Fax) www.state.il.us/cms/1_selling/bepprgrm.htm (Internet)

> ProgramAuthority: Business Enterprise Program for Minorities, Females, and Persons with Disabilities Act, (30 ILCS 575), 44 Illinois Administrative Code 10

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State of Illinois Rod R. Blagojevich, Governor



Illinois Department of Central Management Services Paul J. Campbell, Acting Director

BUSINESS ENTERPRISE PROGRAM FOR MINORITIES, FEMALES, AND PERSONS WITH DISABILITIES

he Business Enterprise for Minorities, Females, and Persons with Disabilities Act helps state government promote the economic development of businesses certified as owned and controlled by minorities, females, and persons with disabilities. It does so by establishing a goal that at least 19 percent of procurement contracts let by the state go to businesses certified under the Act. There are currently 62 agencies and nine universities letting contracts subject to the Act.

The Business Enterprise Council

The Act established the Business Enterprise Council to oversee the Business Enterprise Program (BEP). The council comprises 10 individuals representing businesses that are owned by minorities, females, or persons with disabilities; two individuals representing the business community; a representative of public universities; and the directors of the Capital Development Board, Department of Central Management Services, Department of Commerce and Community Affairs. Department of Human Rights, Department of Human Services, and Department of Transportation. Dayto-day activities of the Business Enterprise Program are administered through the offices of the Department of Central Management Services.

Program Activities

Day-to-day activities designed to help meet the contracting goal include:

Agency Training Program staff work with each agency's purchasing group to educate them about the Act and provide them with information about BEP-certified businesses interested in contracting with the state.

Compliance and Monitoring Program staff help ensure that agencies actively consider BEP certified businesses when issuing bids/proposals or when entering into contracts. Each agency must develop an annual compliance plan telling how the agency plans to meet its contracting goal and must make periodic progress reports. BEP staff monitor the procurement plans and activities.

Vendor Outreach Through formal means, such as the annual matchmaker conference, and informal means, such as working one-on-one with individual vendors, BEP staff are constantly in contact with businesses that may qualify for the program. These efforts help make sure the vendors know of the state's procurement opportunities, how to submit bids and proposals, and generally how to take advantage of the state's procurement system. This outreach effort also allows us to find vendors who have not previously recognized the state as a potential customer and to place those vendors into the procurement system.

Certification To determine progress towards meeting the contracting goal, we need to distinguish businesses owned and controlled by minorities, females, and persons with disabilities from other vendors. We do so through the certification process. This process calls for completion of a Universal Certification Application that will provide us with the information necessary to verify that the firm is owned and controlled by eligible individuals and that it meets any other requirements of the Act. BEP staff will review the Universal Certification Application and may inspect the business to ensure it is 51 percent owned and controlled by one or more minorities, females, or persons with a disability. We look at the documentation of its formation, subsequent history, organizational structure, financial records, and administrative operations, as well as business and other relevant background of the owners before making a decision. Deliberate misrepresentation to obtain certification as a BEP vendor can result in civil as well as criminal sanctions. Although not strictly a part of the certification process, two other forms must be completed to ensure access to the state's procurement system. The Bidder's Application Form (BAF) gives information needed to enter a firm into CMS' computerized procurement system. In addition, before submitting the BAF, a vendor must receive a contractor registration number from the Illinois Department of Human Rights.

Certification Reciprocity The Business Enterprise Program works toward making the certification process less burdensome. To that end we have established certification reciprocity agreements with the following entities:

- Chicago Minority Business Development Council (CMBDC)
- Women's Business Development Center (WBDC)
- Illinois Department of Transportation (IDOT)

Through these efforts we hope to greatly increase the number of businesses owned and controlled by minorities, females, and persons with disabilities who participate in the state procurement process and to ultimately increase the number that win state contracts.

Program Eligibility

The program is open to:

Minority Business Enterprise (MBE):

A business concern which is at least 51-percent owned by one or more minority persons or, in the case of a corporation, at least 51 percent of the stock of which is owned by one or more minority persons, and the management and daily business operations of which are **controlled** by one or more minority individuals who own it. The 51-percent owners must be U.S. citizens or resident aliens. Minority is defined as:

Black/African American: A person having origins in any of the black racial groups in Africa

* VENDOR INQUIRY F O R M * * * State of Illinois Business Enterprise Program. $\emph{\textit{Yes}}$, I wish to receive a Certification Application for the

PLEASE CHECKeach of the following that are applicable: Gender Male Female African American Asian American Caucasian Female Hispanic Native American Person with a Disability	Check all that apply: MBE FBE PBE Retail Manufacturing Service Other	AINT OR TYPE	Type of Business	Telephone: ()	State	Fax ()	How did you hear about BEP? Check all that apply:
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